

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA**

**DIANA MEY,**

*Plaintiff,*

**v.**

**Civil Action No. 5:25-cv-00137-JPB**

**FEX QUOTES, LLC, ADAM BARKOW,  
and JOHN DOE,**

*Defendants.*

**AFFIDAVIT**

STATE OF Florida  
COUNTY OF PAIM Beach

I, Adam Barkow, being duly sworn, state and affirm as follows:

1. I am the owner and sole Managing Partner of FEX Quotes, Inc.
2. FEX Quotes, Inc. operates a subscription-based SaaS (Software as a Service).
3. FEX Quotes, Inc. is a data aggregation service that maintains and provides actuarial data for insurance agents, brokerages, and other wholesalers in the life insurance space.
4. The purpose of FEX Quotes, Inc. is to provide a searchable database of insurance policy information so that insurance agents and brokers may quickly and easily compare quotes.
5. FEX Quotes, Inc. is a business-to-business software service that does not market or solicit customers. All business come from professional-to-professional referrals.
6. FEX Quotes, Inc. does not conduct any form of telemarketing.
7. The online database tool is leased out to insurance agents or brokers and paid for in monthly subscriptions.

Exhibit 1

8. The online database tool does not contain any client information, but rather, generates price quotes for insurance agents and brokers.

9. The only information contained in online database tool is insurance rates from various carriers.

10. FEX Quotes, Inc. does not sell insurance nor derive any benefit from the sale of any insurance products.

11. Once the information related to insurance rates is accessed from the online database tool, neither I nor FEX Quotes, Inc. have any control over how the information is utilized.

12. Neither I nor FEX Quotes, Inc. have any relationship with subscribers other than providing insurance rates.

13. Relative to the transaction that is the subject of this civil action, attached is a single transaction receipt and a coinciding access key record which was located under the same email address as that detailed in the Complaint from "davidharriss37@gmail.com." See Transaction Receipt (Exhibit A) and Access Key Record (Exhibit B), attached hereto.

14. The billing information contained on the Transaction Receipt reflects that an individual named Ellenor Cook, with an address of 3524 W. Euclid St, Beaumont, TX 77705, was charged a \$25.00 one-time fee on October 14, 2024 for FEX Quotes, Inc's services.

15. The Access Key Record reflects that the contact information for this transaction was under an email address of davidharriss37@gmail.com with a phone number of 402-764-9075.

16. This record demonstrates that an individual accessed the FEX Quotes Inc. online database tool and made a one-time payment for the site's services.

17. Access to this database would only have provided this individual with various life insurance rates for quote comparison, and no other identifying information could have been obtained from the site.

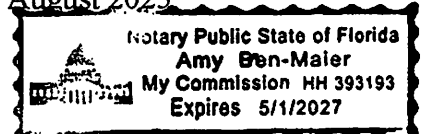
18. There is no other record of access to this database from the email davidharriss37@gmail.com or the phone number 402-764-9075.


Further affiant saith not.

  
Adam Barkow

Taken, subscribed, and sworn to before me on this 20<sup>th</sup> day of August 2025.

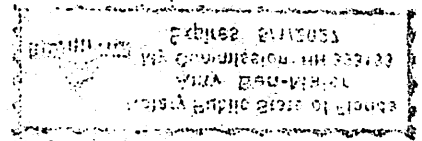
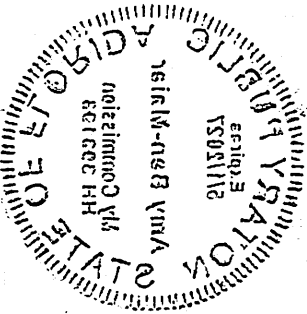
My Commission expires: \_\_\_\_\_.



  
Notary Public

[SEAL]





## Merchant: FEX Quotes

301 Yamato Road Suite 1240  
Boca Raton, FL 33431  
US

(800) 878-0122

### Order Information

Description: FEX Quotes

Order Number:

P.O. Number:

Customer ID: FEX-11412

Invoice Number:

### Billing Information

Ellenor Cook  
3524 W Euclid St Tx 77705  
Beaumont, LA 77705

### Shipping Information

Shipping: 0.00

Tax: 0.00

**Total: USD 25.00**

### Payment Information

Date/Time: 14-Oct-2024 15:59:44 EDT

Transaction ID: 80676283269

Transaction Type: Authorization w/ Auto Capture

Transaction Status: Settled Successfully

Authorization Code: 08372D

Payment Method: Visa XXXX0584

Exhibit A (to Exhibit 1)

Browse

Structure

SQL

Search

Insert

Export

Import

Operations

Triggers

Table search

Zoom search

Find and replace

Show search criteria

Showing rows 0 - 0 (1 total, Query took 0.0014 seconds.)

```
SELECT * FROM `accounts` WHERE `fex_id` LIKE '%FEX-11412%'
```

☐ Profiling [ [Edit inline](#) ] [ [Edit](#) ] [ [Explain SQL](#) ] [ [Create PHP code](#) ] [ [Refresh](#) ]

☐ Show all

Number of rows: 25

Filter rows:

Extra options

	id	fex_id	code	status	brand	first_name	last_name	address	city	state	zip	phone	email	sub_type	sub_amount	coupon
<input type="checkbox"/>	54791	FEX-11412	b8c-2pd35	1	fex11412	Ellenor	Cook	3524 W Euclid St	Beaumont	LA	77705	4027649075	davidhariss37@gmail.com	monthly	25.00	1

☐ Check all

With selected:

Edit

Copy

Delete

Export

☐ Show all

Number of rows: 25

Filter rows:

Query results operations

Print

Copy to clipboard

Export

Display chart

Create view

Exhibit B (to Exhibit 1)